

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RODNEY JAMAAR SMITH,

Plaintiff,

v.

INSURER OF CDC, et al.,

Defendants.

No. 1:20-cv-01196-DAD-BAM (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
ACTION

(Doc. No. 12)

Plaintiff Rodney Jamaar Smith is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 15, 2020, the assigned magistrate judge screened plaintiff's first amended complaint and issued findings and recommendations recommending that this action be dismissed due to plaintiff's failure to state a cognizable claim upon which relief may be granted. (Doc. No. 12.) Those pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 7.) To

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1 date, no objections to the pending findings and recommendations have been filed, and the time in  
2 which to do so has now passed.<sup>1</sup>

3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a  
4 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the  
5 findings and recommendations are supported by the record and by proper analysis.

6 Accordingly,

- 7 1. The findings and recommendations issued on September 15, 2020 (Doc No. 12)  
8 are adopted in full;
- 9 2. This action is dismissed due to plaintiff's failure to state a claim; and
- 10 3. The Clerk of the Court is directed to close this case.

11 IT IS SO ORDERED.

12 Dated: **October 19, 2020**

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15 UNITED STATES DISTRICT JUDGE  
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27 <sup>1</sup> On September 30, 2020, plaintiff filed a "Response to Standing Order in Light of Ongoing  
28 Judicial Emergency in the Eastern District of California," in which plaintiff expresses that he has  
"no problem" with that standing order. (Doc. No. 13.) The court notes that this "Response" is  
not related in any way to the pending findings and recommendations.